



PATENT
Attorney Docket No. NMT-015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Chanduszko et al.
SERIAL NO.: 10/660,444 GROUP NO.: Not yet assigned
FILING DATE: September 11, 2003 EXAMINER: Not yet assigned
TITLE: Septal Puncture Device

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. This application was filed after June 30, 2003, accordingly, copies of the cited U.S. patents and U.S. patent application publications are not provided, as permitted according to the waiver enacted by the U.S.T.P.O. and posted on the U.S.P.T.O. website on July 11, 2003 at <http://uspto.gov/web/offices/pac/dap/opla/preognotice/idswouscopies.htm>. Copies of the foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2) are enclosed. The publication date of reference C5 is unknown. Applicants believe that publication took place in June 2002 or earlier.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**

- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

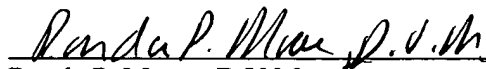
- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

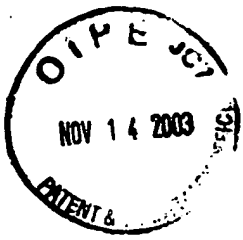
Respectfully submitted,

Date: November 12, 2003
Reg. No. 44,244

Tel. No.: (617) 248-7044
Fax No.: (617) 248-7100

2704036


Ronda P. Moore, D.V.M.
Attorney for the Applicants
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110



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CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in a box addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12 day of November, 2003.

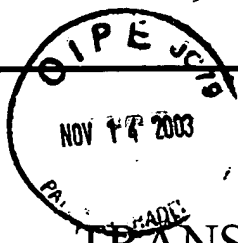

Karina L. Branzetti

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 page);
2. Information Disclosure Statement (2 pages);
3. Form PTO-1449 (4 pages);
4. Copies of IDS citations (A1-A74; B1; C1-C5); and
5. Return receipt postcard.



TRANSMITTAL FORM

Application Serial Number	10/660,444
Filing Date	September 11, 2003
First Named Inventor	Chanduszeko
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket No.	NMT-015
Patent No.	Not applicable
Issue Date	Not applicable

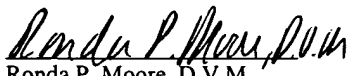
ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input checked="" type="checkbox"/> Information Disclosure Statement (2 pgs.) <input checked="" type="checkbox"/> Form PTO-1449 (4 pgs.) <input checked="" type="checkbox"/> Copies of IDS Citations (A1-A74; B1; C1-C5)	<input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above		

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Date: November 12, 2003
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Tel. No.: (617) 248-7044
Fax No.: (617) 248-7100
Ronda P. Moore, D.V.M.
Attorney for the Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110



FORM PTO - 1449

INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: NMT-015

APPLICANT(S): Chanduszko et al.

SERIAL NO.: 10/660,444

FILING DATE: September 11, 2003

GROUP: Not yet assigned

U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	US 2001/0037129 A1	11/01/01	Thill	606	213	01/12/01
	A2	US 2002/0099389 A1	07/25/02	Michler et al.	606	139	03/21/02
	A3	US 2002/0128680 A1	09/12/02	Pavlovic	606	200	01/23/02
	A4	US 2002/0183786 A1	12/05/02	Girton	606	213	05/30/01
	A5	US 2002/0183787 A1	12/05/02	Wahr et al.	606	213	06/01/01
	A6	US 2003/0045893 A1	03/06/03	Ginn	606	151	09/06/01
	A7	US 2003/0050665 A1	03/13/03	Ginn	606	215	09/07/01
	A8	3,874,388	04/01/75	King et al.	128	334 R	02/12/73
	A9	4,007,743	02/15/77	Blake	128	334 R	10/20/75
	A10	4,836,204	06/06/89	Landymore et al.	128	334 R	07/06/87
	A11	4,985,014	01/15/91	Orejola	600	16	07/11/89
	A12	5,030,199	07/09/91	Barwick et al.	600	29	12/11/89
	A13	5,041,129	08/20/91	Hayhurst et al.	606	232	07/02/90
	A14	5,042,976	08/27/91	Ishitsu et al.	604	96	01/12/88
	A15	5,057,114	10/15/91	Wittich et al.	606	127	09/18/90
	A16	5,073,166	12/17/91	Parks et al.	609	93	02/15/89
	A17	5,108,420	04/28/92	Marks	606	213	02/01/91
	A18	5,112,310	05/12/92	Grobe	604	175	02/06/91
	A19	5,190,528	03/02/93	Fonger et al.	604	171	10/19/90
	A20	5,192,301	03/09/93	Kamiya et al.	606	213	09/03/91
	A21	5,284,488	02/08/94	Sideris	606	213	12/23/92
	A22	5,312,341	05/17/94	Turi	604	96	08/14/92
	A23	5,357,979	10/25/94	Imran	128	772	09/03/93
EXAMINER				DATE CONSIDERED			



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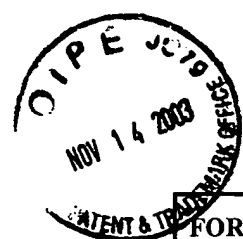
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EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A24	5,403,338	04/04/95	Milo	606	184	01/21/93
	A25	5,425,744	06/20/95	Fagan et al.	606	213	04/18/94
	A26	5,433,727	07/18/95	Sideris	606	213	08/16/94
	A27	5,451,235	09/19/95	Lock et al.	606	213	04/14/94
	A28	5,507,811	04/16/96	Koike et al.	623	11	11/15/94
	A29	5,540,712	07/30/96	Kleshinski et al.	606	198	06/01/94
	A30	5,545,138	08/13/96	Fugoso et al.	604	102	02/28/94
	A31	5,577,299	11/26/96	Thompson et al.	24	131 C	08/26/94
	A32	5,578,045	11/26/96	Das	606	151	08/02/94
	A33	5,634,936	06/03/97	Linden et al.	606	213	02/06/95
	A34	5,683,411	11/04/97	Kavteladze et al.	606	200	04/06/95
	A35	5,702,421	12/30/97	Schneidt	606	213	01/11/96
	A36	5,709,707	01/20/98	Lock et al.	606	213	11/19/96
	A37	5,720,754	02/24/98	Middleman et al.	606	127	04/28/95
	A38	5,725,552	03/10/98	Kotula et al.	606	213	05/14/96
	A39	5,733,294	03/31/98	Forber et al.	606	151	02/28/96
	A40	5,741,297	04/21/98	Simon	606	213	08/28/96
	A41	5,746,765	05/05/98	Kleshinski et al.	606	198	05/17/96
	A42	5,776,162	07/07/98	Kleshinski	606	198	01/03/97
	A43	5,868,753	02/09/99	Schatz	606	108	11/13/95
	A44	5,879,366	03/09/99	Shaw et al.	606	213	12/20/96
	A45	5,895,404	04/20/99	Ruiz	606	185	09/29/97
	A46	5,902,317	05/11/99	Kleshinski et al.	606	198	08/19/97
EXAMINER				DATE CONSIDERED			



FORM PTO - 1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO.: NMT-015 APPLICANT(S): Chanduszko et al. SERIAL NO.: 10/660,444 FILING DATE: September 11, 2003 GROUP: Not yet assigned			
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EXAM. INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	A47	5,904,703	05/18/99	Gilson	606	213	11/07/97
	A48	5,919,200	07/06/99	Stambaugh et al.	606	159	10/09/98
	A49	5,944,738	08/31/99	Amplatz et al.	606	213	02/06/98
	A50	5,976,174	11/02/99	Ruiz	606	213	12/15/97
	A51	6,007,558	12/28/99	Ravenscroft et al.	606	200	09/25/98
	A52	6,024,756	02/15/00	Huebsch et al.	606	213	12/22/98
	A53	6,030,007	02/29/00	Bassily et al.	289	1.5	07/07/97
	A54	6,030,405	02/29/00	Zarbatany et al.	606	191	06/25/98
	A55	6,056,760	05/02/00	Koike et al.	606	148	01/30/98
	A56	6,080,182	06/27/00	Shaw et al.	606	213	12/19/97
	A57	6,086,610	07/11/00	Duerig et al.	623	1	10/22/96
	A58	6,117,159	09/12/00	Huebsch et al.	606	213	12/22/98
	A59	6,129,755	10/10/00	Mathis et al.	623	1.15	01/09/98
	A60	6,149,664	11/21/00	Kurz	606	194	08/27/98
	A61	6,171,329 B1	01/09/01	Shaw et al.	606	213	08/28/98
	A62	6,174,322 B1	01/16/01	Schneidt	606	213	07/31/98
	A63	6,206,907 B1	03/27/01	Marino et al.	606	215	05/07/99
	A64	6,214,029 B1	04/10/01	Thill et al.	606	213	04/26/00
	A65	6,221,092 B1	04/24/01	Koike et al.	606	213	03/30/99
	A66	6,290,674 B1	09/18/01	Roue et al.	604	107	11/22/99
	A67	6,312,446 B1	11/06/01	Huebsch et al.	606	213	09/12/00
	A68	6,342,064 B1	01/29/02	Koike et al.	606	213	12/22/99
	A69	6,346,074 B1	02/12/02	Roth	600	121	06/12/96
EXAMINER				DATE CONSIDERED			



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	A70	6,352,531 B1	03/05/02	O'Connor et al.	606	15	03/24/99		
	A71	6,355,052 B1	03/12/02	Neuss et al.	606	213	02/04/97		
	A72	6,375,671 B1	04/23/02	Kobayashi et al.	606	213	04/17/00		
	A73	6,379,368 B1	04/30/02	Corcoran et al.	606	153	05/13/99		
	A74	6,440,152 B1	08/27/02	Gainor et al.	606	213	07/28/00		
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B1	WO 03/077733 A2	09/25/03	PCT			03/14/03		Y
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	C1	"Trans-septal Catheterization for Radiofrequency Catheter Ablation of Cardiac Arrhythmias. Results and Safety of a Simplified Method," by R. De Ponti, et al., European Heart Journal, vol. 19, June 1998, pp. 943-950.							
	C2	"The Puncture Needle as Guidewire: Needle Guide Technique for Percutaneous Nephrostomy," by Irvin F. Hawkins, Jr., M.D., et al., Seminars in Interventional Radiology, vol. 4, No. 2, June 1987, pp. 126-130.							
	C3	"PFO and Stroke: The Hidden Connection," by Paul Kramer, MD, Endovascular Today, http://www.endovasculartoday.com/02_current/10.html , printed 10/09/03.							
	C4	"The Puncture Technique: A New Method of Transcatheter Closure of Patent Foramen Ovale," by Carlos E. Ruiz, M.D., Ph.D., et al., Catheterization and Cardiovascular Interventions, vol. 53, 2001, pp. 369-372.							
	C5	"New Transseptal Puncture Technique for Transcatheter Closure of Patent Foramen Ovale," by Robert J. Sommer, M.D., et al., Mount Sinai Medical Center, New York, New York, publication date unknown, but believed to be June 2002 or earlier.							
EXAMINER					DATE CONSIDERED				